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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

WELLS FARGO BANK,

Plaintiff,

v.

KEITH A. VANN,

Defendant.

No. C 12-04023 CRB

**ORDER DENYING AS MOOT
MOTION TO RECUSE OR
DISQUALIFY THE HONORABLE
CHARLES R. BREYER**

Defendant Keith Vann has filed a Motion to Recuse or Disqualify the Honorable Charles R. Breyer Pursuant to 28 U.S.C. § 144 and 455(a). See Mot. (dkt. 19). That Motion is DENIED as MOOT because Plaintiff's case has already been remanded, see dkt. 8, and terminated, see dkt. 10. The Court therefore lacks jurisdiction to adjudicate the merits of Defendant's Motion. See *Moore v. Permanente Med. Grp., Inc.*, 981 F.2d 443, 445 (9th Cir. 1992) (district court is divested of jurisdiction on the merits after remand).

IT IS SO ORDERED.

Dated: August 23, 2012


CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE